

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

In re: **Kennedy M. Shannon**

Debtor.

Case No. **23-41250**

Judge: **Randon**

DEBTOR'S CHAPTER 13 CONFIRMATION HEARING CERTIFICATE

[To be completed fully]

At the next confirmation hearing in this case, the debtor intends to: [Check ONE of the following]

1. ☐ Request confirmation of the debtor's plan, because all timely objections of creditors and the trustee have been resolved. I have emailed to the trustee a proposed order confirming the plan, as required in paragraph 2 of the Chapter 13 Case Management Order.

2. ☐ Request confirmation of the debtor's plan, even though all timely objections have not been resolved. I have emailed to the trustee a proposed order confirming the plan, as required in paragraph 2 of the Chapter 13 Case Management Order. The parties are at an impasse in attempting to resolve these objections despite all reasonable efforts. The following are: (a) the parties whose timely objections have not been resolved; (b) their unresolved objections; and (c) the legal and factual issues that must be resolved by the Court in connection with confirmation:

Trustee Objections:

Issues:

Creditor # 1:

Objections:

Issues:

Creditor # 2:

Objections:

Issues:

3. ☒ Request an adjournment of the confirmation hearing: Debtor's Chapter 13 Plan proposes to yield a 100% dividend to all general unsecured creditors, while treating the Debtor's student loans separately. Right now, there is dispute over whether the Plan is properly funded and will run timely. This dispute is the result of two issues: First, how the Debtor's student loans will be paid, and second, Whether the City of Detroit's \$54,590.87 claim is valid. The Debtor currently has an action in State Court to determine the validity of a judgment obtained by the City of Detroit. If the judgment is invalid, then the Debtor may object to the claim and attempt to have the debt stricken. In a related matter, the Debtor has a pending lawsuit against the City of Detroit for wrongful termination. If that action is successful and/or the Debtor receives compensation, she will commit the proceeds of the action to the Plan to pay her debts. Because the Debtor may be able to have a \$54,000 debt stricken and/or may be able to satisfy all of her debts using lawsuit proceeds, and because time is likely to reveal the answers to these questions, the Debtor asks the Court to grant her an adjournment of the hearing on Confirmation to a date in late September, 2023.

4. ☐ Dismiss the case. [The Court will construe this as a motion by the debtor to dismiss the case under Fed.R.Bankr.P. 1017(f)(2), and the Court will enter an order of dismissal and the case will be removed from the docket, unless the case was previously converted from Chapter 7, 11, or 12 to Chapter 13. In that event, a separate motion to dismiss must be filed within 10 days.]

5. ☐ Convert the case to chapter 7. [The debtor must promptly file a separate notice of conversion under Fed.R.Bankr.P. 1017(f)(3), and pay the filing fee for such notice. Such notice of conversion will cause the case to be converted without the entry of an order of conversion.]

/s/ Walter A. Metzen

***Walter A. Metzen P49779 Michigan
Bar Number***

Debtor's Attorney